

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Eschweiler on 12/21/2011.

The application has been amended as follows:

In the Claims:

1. (Currently amended) A network station comprising:  
a network device having a collision counter that tracks collisions and an inter packet gap unit that is programmable; and  
a dynamic IPG determiner that obtains collision counts from the collision counter, dynamically generates an IPG value that is a function of the collision counts and programmable parameters, wherein the programmable parameters include ~~at least one of~~:  
a range of IPG values; a step value; a convergence time; and a stable state time, and  
programs the inter packet gap unit with the dynamically generated IPG value.

13. (Currently amended) A method of dynamically generating an IPG value for a network device comprising: setting one or more programmable parameters, wherein the programmable parameters include ~~at least one~~ ~~ef:~~ a range of IPG values; a step value; a convergence time; and a stable state time; dynamically determining an IPG value from the range of IPG values according to tracked collisions ~~and the programmable parameters~~; programming the network device with the determined IPG value.

- Claims 8,10-12, and 17 have been cancelled.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD ADHAMI whose telephone number is (571)272-8615. The examiner can normally be reached on Monday-Friday 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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